



General Assembly

January Session, 2009

Raised Bill No. 873

LCO No. 3292

03292_____BA_

Referred to Committee on Banks

Introduced by:
(BA)

AN ACT CONCERNING STATE CHARTERED BANKS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 42-471 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2009*):

3 (a) Any person in possession of personal information of another
4 person shall safeguard the data, computer files and documents
5 containing the information from misuse by third parties, and shall
6 destroy, erase or make unreadable such data, computer files and
7 documents prior to disposal.

8 (b) Any person who collects Social Security numbers in the course of
9 business shall create a privacy protection policy which shall be
10 published or publicly displayed. For purposes of this subsection,
11 "publicly displayed" includes, but is not limited to, posting on an
12 Internet web page. Such policy shall: (1) Protect the confidentiality of
13 Social Security numbers, (2) prohibit unlawful disclosure of Social
14 Security numbers, and (3) limit access to Social Security numbers.

15 (c) As used in this section, "personal information" means

16 information capable of being associated with a particular individual
 17 through one or more identifiers, including, but not limited to, a Social
 18 Security number, a driver's license number, a state identification card
 19 number, an account number, a credit or debit card number, a passport
 20 number, an alien registration number or a health insurance
 21 identification number, and does not include publicly available
 22 information that is lawfully made available to the general public from
 23 federal, state or local government records or widely distributed media.

24 (d) For persons who hold a license, registration or certificate issued
 25 by or a charter subject to the supervision of, a state agency other than
 26 the Department of Consumer Protection, this section shall be
 27 enforceable only by such other state agency pursuant to such other
 28 state agency's existing statutory and regulatory authority.

29 (e) Any person or entity that violates the provisions of this section
 30 shall be subject to a civil penalty of five hundred dollars for each
 31 violation, provided such civil penalty shall not exceed five hundred
 32 thousand dollars for any single event. It shall not be a violation of this
 33 section if such violation was unintentional.

34 (f) The provisions of this section shall not apply to (1) any agency or
 35 political subdivision of the state, or (2) financial institutions that have
 36 adopted safeguards that comply with the standards established
 37 pursuant to Section 501(b) of the Gramm-Leach-Bliley Act of 1999, 15
 38 USC 6801.

39 (g) Any civil penalties received pursuant to this section shall be
 40 deposited into the privacy protection guaranty and enforcement
 41 account established pursuant to section 19 of substitute senate bill 30 of
 42 the February 2008, regular session*.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2009</i>	42-471

Statement of Purpose:

To clarify state agency authority to regulate state chartered banks.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]